

TIMOTHY HANEY §
v. § CIVIL ACTION NO. 6:13cv514
DIRECTOR, TDCJ-CID §

In his objections, Haney asserts that he is in fact stating a denial of a constitutionally protected liberty interest, but he fails to identify any such interest. He complains that the charging officer's allegations were not supported by "tangible evidence," but the Fifth Circuit has held that the charging officer's testimony alone is sufficient to support a finding of guilt. *Hudson v. Johnson*, 242 F.3d 534, 537 (5th Cir. 2001). He refers to the district court's decision in *Malchi v. Thaler*, 211 F.3d 953, 956 (5th Cir. 2000), saying the ruling in his case should be the same, but overlooks the fact that the district court's decision was reversed by the Fifth Circuit. Haney's objections are without merit.

The Court has conducted a careful *de novo* review of the pleadings in the cause, the Report of the Magistrate Judge, and the Petitioner's objections thereto. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate Judge is correct and that the Petitioner's objections are without merit. It is accordingly

ORDERED that the Petitioner's objections are overruled and the Report of the Magistrate Judge (docket no. 21) is ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled application for the writ of habeas corpus be and hereby is DISMISSED with prejudice. It is further

ORDERED that the Petitioner Timothy Haney is hereby DENIED a certificate of appealability *sua sponte*. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby DENIED.

So ORDERED and SIGNED this 11th day of March, 2015.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**